

REMARKS

Following entry of this amendment, claims 1-15, 21, 26-30, 33-45, 50, 53, 59-68, 71-82, 84-95, 98-109 and 111-112 remain pending in the application of which claims 1, 37, 59, 82, 86 and 109 are independent. Claims 37, 39-44, 50, 53, 59, 82, 86, 100 and 109 have been amended. Claims 16-20, 22-25, 31-32, 46-49, 51-52, 54-58, 69-70, 83, 96-97 and 110 have been canceled herein. No claims have been added. No new matter has been added.

35 U.S.C. § 112 Rejections, Second Paragraph

Claims 31 and 100 were rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention (see Office Action page 2). Claim 31 has been canceled herein and Applicants have corrected the antecedent basis issue noted by the Examiner for claim 100.

Non-Statutory Double Patenting Rejection

Claims 1-112 were rejected for non-statutory double patenting (see Office Action pages 2-6). Applicants have submitted a terminal disclaimer herewith to address this rejection.

For the record, Applicants also note that the Examiner's recitation of the differences between the pending claims and the issued claims (on page 6 of the Office Action) is incomplete as the issued claims have additional limitations not found in the pending claims (and so therefore differ in additional ways beyond the recitation of the portable electronic apparatus and mobile telephone apparatus limitations cited by the Examiner).

Claim Objections

Claims 39-44, 46 and 49-53 were objected to because of an incorrect reference to independent claim 37. Claims 46 and 49 were canceled herein and the remaining claims have been corrected to recite claim 37 instead of claim 36.

35 U.S.C. § 112 Rejections, First Paragraph

Claims 22-25, 31, 55, 56, 83 and 110 were rejected for various reasons pursuant to 35 U.S.C. § 112 Rejections, first paragraph. However, since claims 22-25, 31, 55, 56, 83 and 110 have been canceled herein the rejections are now moot.

35 U.S.C. § 102(b) Rejections

Claims 1-16, 19-21, 26-30, 32-35, 37-38, 40-46, 49-50, 53-54, 57, 59-60, 62-68, 71-82, 84, 86, 87, 89-95, 98-109 and 111 were rejected as being anticipated by Wicks et al (United States Patent No. 5,796, 394, hereafter “Wicks”). Claims 16, 20, 32, 46 and 49 have been canceled herein so the rejections directed to those claims are therefore moot. Applicants respectfully traverse the remaining rejections based on the Amendments above and the arguments submitted below.

Summary of Wicks

Applicants note that the parent application (now U.S. Patent No. 6,731,316) of this continuation application was allowed after consideration of Wicks.

Wicks et al discusses a communications routing system. A base station which is connected to a display is connected to multiple types of devices in a Local Area Network or other type of network. The base station is equipped with a keypad input device similar to those found on standard telephones. The base station receives transmissions intended for the various types of device in the LAN from multiple types of exterior networks having different data formats.

Each of these networks represents a suitably distinct communications infrastructure that has its own data formats (or information types), protocol, devices and user interfaces. For example, the telephone network uses telephone dialing devices such as hardwired or cellular telephones having standard twelve key keypads to communicate analog or digital voice information. These aspects of the telephone system are different from, and incompatible with, a network such as the Internet which routes data between computers by using specialized Internet protocols (e.g. transmission control protocol/Internet protocol TCP/IP), file transfer protocol (FTP) and user interfaces(e.g. native operating

system commands or World Wide Web (WWW) browsers that make use of the computer's display screen, mouse and keyboard to achieve a user interface. Similarly, a paging network has its own data formats, protocol, devices and user interfaces. (Column 4, lines 5-20)

The base station filters and routes this information to the various devices and provides a common interface for the retrieval of the information. **The purpose of the system in Wicks is to provide a common interface for information retrieval for different types of devices on the local network which are receiving information in their specific data formats.** All communications to the office [i.e.: LAN devices] go through the base station (column 2, lines 40-41).

The intercepted information may be retrieved by a user of the Wicks system via the keypad-like input device embedded in the base station. The base station generates a display of icons approximately arranged on the display in an orientation similar to that of the keypad. Actions are taken in response to a user pushing one of the buttons on the keypad corresponding to an icon on the display. Alternatively, the information may be retrieved by docking a handheld communicator to a docking station attached to one of the devices which is interfaced with the base station over the LAN. The handheld communicator has a numeric keypad and a unique user ID. The device to which the handheld communicator is docked may or may not have a display. The handheld communicator may or may not have a display. Once docked at a particular device in the LAN, information intended for that device may be sent to the device via the handheld communicator.

Argument

Wicks fails to disclose all of the elements of Applicants' independent claims.

Representative claim 1 recites:

1. A mobile telephone apparatus, said mobile telephone apparatus comprising:
 - a display surface for displaying information in a visually partitioned manner, said visually partitioned information being presented on said display in at least two regions;
 - a keypad containing keys, each of said keys corresponding to at most a single

region of said display, wherein each region is associated with at least one of the keys in the keypad and represents a choice of an option that may be selected by selecting the associated key, and

a processor for performing an action associated with said choice of an option, said action triggered by the selection of the associated key.

Wicks fails to disclose a mobile telephone apparatus that includes these claim elements. In particular, Wicks fails to disclose a mobile telephone apparatus that includes “a processor for performing an action associated with said choice of an option, said action triggered by the selection of the associated key.”

In contrast to Applicants’ claim 1, the communications routing system of Wicks uses a base station to intercept incoming message traffic. The message traffic uses a multitude of different data formats. The incoming message traffic is intended for other devices on the LAN, not for the base station. The base station generates a common user interface for the display which may be used in conjunction with the keypad input device to retrieve the information intended for the other devices. Alternatively, a user may use a handheld communicator docked with a LAN device to retrieve information via the base station generated user interface using a keypad on the handheld communicator. In response to the selection, **the base station in Wicks provides information to a user.** In other words, **the processing of the selection in the interface in Wicks is being performed at the base station.**

Furthermore, Wicks is directed to providing a uniform interface for a user to retrieve information destined for multiple types of devices in a LAN. **The Wicks communication routing system is composed of multiple devices** and is completely inapplicable to the claimed mobile telephone apparatus. The intervening device (the base station) of the system of Wicks generates a user interface for the retrieval of information intended for other devices in a LAN. In contrast, claim 1 recites a mobile telephone apparatus providing an interface displaying information intended to be displayed on the device.

Accordingly, for at least these reasons Wicks fails to anticipate claim 1 and the claims dependent thereon.

Similarly, independent claim 37 is a system claim corresponding to claim 1 except that it recites a portable electronic apparatus in place of a mobile telephone apparatus. Applicants respectfully assert that the arguments set forth above with respect to claim 1 are equally applicable to claim 37.

Accordingly, for at least these reasons Wicks fails to anticipate claim 37 and the claims dependent thereon.

Independent claim 59 recites:

59. In a portable electronic apparatus having a display and a keypad having keys, a method comprising:

displaying information on the display of said portable electronic apparatus so that the display is visually partitioned in regions, wherein each region is associated with at least one of the keys on the keypad, each of said keys corresponding to at most a single region of said display; and

receiving, on the portable electronic apparatus, a selection of a selected one of the keys on the keypad;

processing the selection with a processor in the portable electronic apparatus, the processing triggering an event, wherein each region is associated with a service and wherein the selection of the selected key triggering the event causes information to be displayed on the display that concerns a service associated with the selected key.

Wicks fails to disclose a portable electronic apparatus that performs this method. In particular, Wicks fails to disclose a portable electronic apparatus that performs “processing the selection with a processor in the portable electronic apparatus, the processing triggering an event, wherein each region is associated with a service and wherein the selection of the selected key triggering the event causes information to be displayed on the display that concerns a service associated with the selected key.” As noted above during the discussion of claim 1, the Wicks system performs the processing of the selection at the base station (which is not portable), and includes multiple devices rather than the single device recited by Applicant. Accordingly, for at least these reasons, Wicks fails to anticipate claim 59 and the claims dependent thereon.

Similarly, independent claim 82 is a method claim corresponding to claim 59 except that it recites a mobile telephone instead of a portable electronic apparatus. Applicants respectfully assert that the arguments set forth above with respect to claim 59 are equally applicable to claim 82.

Accordingly, for at least these reasons Wicks fails to anticipate claim 82 and the claims dependent thereon.

Independent claims 86 and 109 are medium claims that correspond to method claims 59 and 82. Applicants respectfully submit that claims 86 and 109, and the claims respectively dependent thereon, are allowable for the same reasons set forth above for claims 59 and 82. Reconsideration and allowance of claims 86 and 109 and their dependent claims is requested.

35 U.S.C. § 103 Rejections

The remaining § 103 rejections are directed to dependent claims and the cited references being combined with Wicks fail to remedy the shortcomings of Wicks that were discussed above with respect to the independent claims. Accordingly, since the dependent claims include all of the elements of the independent claims, and since the cited combination of references fails to render obvious all of the elements of Applicants' independent claims, Applicants request the reconsideration and allowance of claims 36, 39, 58, 61, 85, 88 and 112 (the other 103 rejections were directed to now canceled claims).

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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